

Exhibit 3

1
2 UNITED STATES DISTRICT COURT
3 SOUTHERN DISTRICT OF NEW YORK
4 -----X

5 SANDRA GUZMAN,

6 Plaintiff,

NO. 09 CIV. 9323 (BSJ) (RLE)

7 VS.

8 NEWS CORPORATION, NYP
9 HOLDINGS, INC., d/b/a THE
10 NEW YORK POST, and COL ALLAN,
11 in his official and individual
12 Capacities,

13 Defendants.
14 -----X

15 **REVISED**

16 VIDEOTAPED DEPOSITION

17 OF

18 SANDRA GUZMAN

19 New York, New York

20 Thursday, October 13, 2011
21
22
23
24
25

Reported by:

AYLETTE GONZALEZ, CLR

JOB NO. 42950

<p style="text-align: right;">Page 150</p> <p>1 SANDRA GUZMAN-10/13/11</p> <p>2 familiar with the rules of conduct. And I</p> <p>3 actually thought that he would think it was so</p> <p>4 outrageous that he wouldn't bat an eye to, at</p> <p>5 least, report it as something that was</p> <p>6 reportable.</p> <p>7 Q. So, you just assumed that he would?</p> <p>8 A. Um-hum. And I hoped that he would.</p> <p>9 Q. And when there was no follow-up by</p> <p>10 Mr. Armstrong or anybody else on this, you did</p> <p>11 not go to the HR department, which was all</p> <p>12 women, and pursue it there, correct?</p> <p>13 A. Not immediately.</p> <p>14 Q. Well, did you at some point?</p> <p>15 A. I did.</p> <p>16 Q. When was that?</p> <p>17 A. February of 2009.</p> <p>18 Q. After the publication of the</p> <p>19 cartoon?</p> <p>20 A. After the publication of the racist</p> <p>21 monkey cartoon.</p> <p>22 Q. Did you specifically describe the</p> <p>23 incident that you've talked about here during</p> <p>24 your discussions after the cartoon was</p> <p>25 published?</p>	<p style="text-align: right;">Page 151</p> <p>1 SANDRA GUZMAN-10/13/11</p> <p>2 A. Jennifer Jehn was in my office and</p> <p>3 I made her aware of several sexist and</p> <p>4 racially discriminatory incidents, and I did</p> <p>5 tell her.</p> <p>6 Q. You told her about this incident</p> <p>7 with the McGreevey photograph?</p> <p>8 A. I told her -- I'm sorry; please</p> <p>9 finish.</p> <p>10 Q. You told also Jehn about the</p> <p>11 McGreevey photograph incident on Col Allan's</p> <p>12 Blackberry after the publication of the</p> <p>13 cartoon?</p> <p>14 A. I did.</p> <p>15 Q. You're sure?</p> <p>16 A. I'm positive that I told her that</p> <p>17 Col Allan shows female workers pictures of</p> <p>18 naked men.</p> <p>19 Q. That's what you said?</p> <p>20 A. Um-hum.</p> <p>21 MR. THOMPSON: You have to answer</p> <p>22 verbally, just remember.</p> <p>23 A. Yes. Okay, yes.</p> <p>24 Q. And when you said that, this was</p> <p>25 the incident we just discussed was the</p>
<p style="text-align: right;">Page 152</p> <p>1 SANDRA GUZMAN-10/13/11</p> <p>2 incident that you had in mind?</p> <p>3 A. I'm sorry?</p> <p>4 Q. When you said -- when you told her</p> <p>5 that Col Allan shows females pictures of naked</p> <p>6 men, it was the incident described in</p> <p>7 paragraph 35 of your Complaint that you were</p> <p>8 referring to, right?</p> <p>9 A. Yes.</p> <p>10 Q. And did you specifically give her</p> <p>11 the facts of where the incident of paragraph</p> <p>12 35 of your Complaint during that discussion?</p> <p>13 A. Not the specific facts of the date</p> <p>14 and the photograph. I said -- I told her that</p> <p>15 Col Allan had shown pictures of naked men. He</p> <p>16 showed me a picture of a naked man.</p> <p>17 Q. Did you tell her anything else</p> <p>18 about that?</p> <p>19 A. About that?</p> <p>20 Q. Yes.</p> <p>21 A. No. I don't recall telling her</p> <p>22 anything else about that.</p> <p>23 Q. Did you ever put that complaint in</p> <p>24 writing?</p> <p>25 A. No.</p>	<p style="text-align: right;">Page 153</p> <p>1 SANDRA GUZMAN-10/13/11</p> <p>2 Q. So, that complaint was verbal?</p> <p>3 A. Yes.</p> <p>4 Q. And was that your first complaint</p> <p>5 to human resources?</p> <p>6 A. My first complaint to human</p> <p>7 resources?</p> <p>8 Q. Yes.</p> <p>9 A. I had complained to the diversity</p> <p>10 members of the team of News Corp. diversity</p> <p>11 office.</p> <p>12 Q. My question was: Was that your</p> <p>13 first complaint to human resources?</p> <p>14 A. No, that was not my first complaint</p> <p>15 to human resources.</p> <p>16 Q. What was your first complaint to</p> <p>17 human resources?</p> <p>18 A. To Mitsy Wilson and to Rick</p> <p>19 Ramirez, they're members of News Corp.'s</p> <p>20 diversity team. And as I understood it, they</p> <p>21 were part of the human resources because</p> <p>22 they -- part of what they do is they recruit</p> <p>23 people of color to work at the different News</p> <p>24 Corp. companies.</p> <p>25 Q. What was -- okay. And when did you</p>

Page 154

1 SANDRA GUZMAN-10/13/11
2 speak with Ms. Wilson and Mr. Rick Ramirez?

3 A. I can't tell you the exact day, but
4 I can tell you that Rick and Mitsy would
5 travel often to New York. I was on a
6 committee with them and we would meet for
7 lunch and discuss many issues, and I remember
8 telling them.

9 Q. Telling them what? What was your
10 complaints to them?

11 A. I told them -- I told them that
12 Col Allan was a sexist. And I told them that
13 Col Allan was racist and that I had personally
14 experienced discrimination and sexism in the
15 workplace. And I gave them the example of him
16 showing me a naked picture on his Blackberry.

17 Q. And you understood that they were
18 not employees of The New York Post, right?

19 A. I understood they were employees of
20 News Corp.

21 Q. It's a yes or no answer.

22 MR. THOMPSON: I'm going to object
23 to the question. It calls for a legal
24 conclusion.

25 You can answer.

Page 156

1 SANDRA GUZMAN-10/13/11
2 didn't have HR responsibilities at New York
3 Post, right?

4 A. I understood that they had.

5 Q. Where were they based?

6 A. In L.A.

7 Q. So, they're in Los Angeles and come
8 to New York to talk to you about diversity in
9 the entire News Corp. organization?

10 A. Yes.

11 Q. And who else was on that committee?

12 A. I can recall Gerald Alcantar, Rick
13 Ramirez and Mitsy Wilson. And there were
14 representatives of different subsidiaries of
15 News Corp. Everyone from Paramount, from Fox
16 Searchlight to the marketing division that --
17 News America marketing that Paul Carlucci led.

18 There were about 25 different
19 representatives on that committee. Mitsy
20 Wilson headed that committee and she was the
21 head of diversity for News Corp.

22 Q. And did you ask Ms. Wilson or
23 Mr. Ramirez to take action on your behalf with
24 respect to your -- what you told her and what
25 you told them about Col Allan?

Page 155

1 SANDRA GUZMAN-10/13/11
2 A. No, I didn't understand that they
3 were not employees of The New York Post.

4 Q. Did you understand they were
5 employees of News Corp.?

6 A. Yes.

7 Q. News Corp.'s a different entity of
8 The New York Post?

9 A. It's the umbrella.

10 Q. And what committee were you on with
11 them?

12 A. I was on the Hispanic diversity
13 committee.

14 Q. So, you were always talking to them
15 about Hispanic issues in the workplace, right?

16 A. We were always talk -- we were
17 talking about ways in which the company can
18 appeal to the fastest growing segment of the
19 American population. So, we would meet on a
20 regular basis to talk about what efforts were
21 being had at Fox television, at the -- just
22 the different subsidiaries under News Corp.
23 and ways to recruit more Hispanic and black
24 and Asian and women to the organizations.

25 Q. You understood, though, that they

Page 157

1 SANDRA GUZMAN-10/13/11

2 A. No.

3 Q. Did they tell you that they had
4 authority to take action at The New York Post
5 on behalf of your complaint?

6 A. No, they didn't tell me.

7 Q. And other than Mr. Allan was a
8 racist and a sexist, what else did you tell
9 them about Col Allan?

10 A. That his behavior created a sense
11 in the newsroom that gave men the freedom to
12 treat women as sex objects.

13 Q. Ms. Guzman, I'm asking you to
14 recall what you told Mitsy Wilson and Rick
15 Ramirez.

16 A. Yes.

17 Q. This is what you told them?

18 A. You mean incidents?

19 Q. I'm asking you what you told them.

20 A. Right.

21 Q. And this is what you told them?

22 A. I told them that I think this
23 behavior kind of showed the whole newsroom was
24 sexist and racist.

25 Q. Did you ever document this